

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-11, 14-35 and 37 are pending. Claims 1, 6, 16, 22 and 31-35 are independent and are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed, specifically at paragraph [0134].

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. SUPPORT FOR THIS AMENDMENT

Citations to Figures and Specification locations are provided. However, such citations are provided merely as examples and are not intended to limit the interpretation of the claims or to evidence or create any estoppel.

As an example, support of the amendment can be found at paragraph [0134] of the Specification, which is reproduced as follows:

[0134] Practically, when a user operates the remote commander 24 to match a cursor with the sound output area A4 displayed on the EPG screen M1 and clicks it, the sound corresponding to the CM “K ΔΔΔ N OOXX beer” which is displayed in the CM display area A3 is played from the speaker SP.

III. REJECTIONS UNDER 35 U.S.C. §102(e)

Claims 1-11, 14-35 and 37 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,002,394 to Schein et al. (herein after, “Schein”).

Applicant respectfully traverses this rejection.

Claim 1 is representative and recites, *inter alia*:

wherein the program guide screen further includes a sound output area for controlling the sound output of the commercial information.
(emphasis added)

Applicant submits that Schein does not disclose or render predictable the above-identified feature of claim 1. Specifically, nothing in Schein discloses or renders predictable “**wherein the program guide screen further includes a sound output area for controlling the sound output of the commercial information,**” as recited in claim 1.

For at least this reason, Applicant respectfully submits claim 1 is patentable over the Schein reference.

Applicant believes independent claims 6, 16, 22 and 32-35 are allowable for substantially the same reason as claims 1.

As nothing in the prior art cited in the Office Action cures the above-identified deficiencies, Applicants respectfully requests reconsideration and withdrawal of the rejections.

IV. REJECTIONS UNDER 35 U.S.C. §103

Claims 37 was rejected under 35 U.S.C. §103 as allegedly unpatentable over Schein in view of U.S. Patent No. 6,052,554 to Hendricks et al. (herein after, "Hendricks").

Claim 37 depends from claim 34 and is believed allowable for at least the same reasons as discussed above with respect to claim 1. Hendricks does not add the elements missing from Schein.

V. DEPENDENT CLAIMS

The other claims are dependent from one of the claims discussed above and are therefore believed patentable for at least the same reasons. As nothing in the prior art cited in the Office Action cures the above-identified deficiencies, Applicants respectfully requests reconsideration and withdrawal of the rejections. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

Claims 1-11, 14-35 and 37 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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